

### REMARKS

In response to the Office Action mailed March 23, 2004, Applicants amended claims 1, 5, 11, and 17 and canceled claims 4, 8, 14, and 20. Claims 1-3, 5-7, 9-13 and 15-19 are presented for examination.

The Examiner rejected claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over Tsien in view of Lee. Claims 4, 8, 14 and 20 were canceled, so the rejection of these claims should be withdrawn.

As amended, claims 1-3, 5-7, 9-13 and 15-19 cover fuel cell electrodes that include a plurality of gas distribution channels in which at least a first one of the plurality of gas distribution channels has a first end connected to the first gas delivery hole and a second end connected to the first gas exhaust hole and not connected to the second gas exhaust hole, at least a second one of the plurality of open gas distribution channels has a first end connected to the second gas delivery hole and a second end connected to the second gas exhaust hole and not connected to the first gas exhaust hole, and at least a third one of the plurality of open gas distribution channels has a first end connected to the second gas delivery hole and a second end connected to the first gas exhaust hole and not connected to the second gas exhaust hole.

As shown in FIG. 1 of Tsien, the supply channels 16 and the drainage channels 18 are separated by a central area 6. (See Tsien col. 5, lines 36-37 and 41-42 and FIG. 1.) The central area 6 has "substantially planar surfaces and is recessed". (Id. col. 5, lines 11-12.) Channels leading from each of the supply orifices toward the central area are "adapted to supply fluid from the supply orifices to the central area 6". (Id. col. 5, lines 31-32.) Corresponding sets of drainage channels are "adapted to drain fluid from the surface of central area 6 to the drainage orifices". (Id. col. 5, lines 44-45.) Thus, in Tsien the fluid supplied by the multiple supply channels flows across the central area and is drained by any of the drainage channels, so Tsien does not disclose the fuel cell electrodes covered by claims 1-3, 5-7, 9-13 and 15-19.

Nor is there any suggestion to modify Tsien's system to provide the fuel cell electrodes covered by claims 1-3, 5-7, 9-13 and 15-19. Tsien discloses a system that "eliminates the need for forming any type of detailed three-dimensional surface on the central area". (Id. col. 1, lines

51-52.) One skilled in the art would have understood that modifying Tsien to include the design required by claims 1-3, 5-7, 9-13 and 15-19 would essentially remove Tsien's purported advantage.

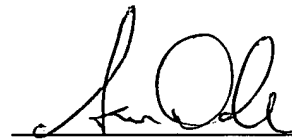
Further, even if one skilled in the art were somehow motivated to modify Tsien's system, such a person would not have been motivated to modify Tsien's system using the teachings of Lee. For example, whereas Lee discloses gas channels connected between an entry and an exit (see, e.g., Lee col. 3, lines 29-38 and FIGS. 2-4.), Tsien's design purportedly "eliminates the need for forming any type of detailed three-dimensional surface on the central area". (Lee col. 1, lines 51-52.).

Neither Tsien nor Lee, either alone or in combination, discloses or suggests the fuel cell electrode covered by the Applicant's amended claims, and there is no suggestion to combine these references. Applicants therefore request reconsideration and withdrawal of the rejection of claims 1-3, 5-7, 9-13 and 15-19 under 35 U.S.C. §103(a).

Applicants believe the application is in condition for allowance, which action is requested. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 6/16/04



Sean P. Daley  
Reg. No. 40,978

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906